REMARKS

Claims 1 and 17 have been amended. No new matter has been introduced with these amendments, all of which are supported in the application as originally filed. Claims 1, 3, 5, 7, 9 - 13, and 17 remain in the application.

Applicant is <u>not</u> conceding that the subject matter encompassed by the claims as presented prior to this Amendment is not patentable over the art cited by the Examiner, and claim amendments and cancellations in the present application are directed toward facilitating expeditious prosecution of the application and allowance of the currently-presented claims at an early date. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by the claims as presented prior to this Amendment and additional claims, in one or more continuing applications.

I.   <u>Rejection under 35 U.S.C. §103(a)</u>

Paragraph 4 of the Office Action dated July 28, 2008 (hereinafter, "the Office Action") states that Claims 1, 3, 5, 9 - 13, and 17 are rejected under 35 U.S.C. §103(a) as being obvious over "Resource Description Framework (RDF) Model and Syntax Specification" (hereinafter, "RDF Syntax") in view of U. S. Patent 6,654,759 to Brunet. This rejection is respectfully traversed.

At the outset, Applicant respectfully notes that the rejections in the Office Action fail to state what <u>part</u> of a cited text passage or figure is being relied on, or how any part of that text

passage or figure is being interpreted by the Examiner, when discussing Applicant's claim language. This provides Applicant with no guidance for formulating a response to the rejection. Accordingly, Applicant has been left to guess as to what the Examiner is actually citing, and how that has been interpreted. Any continuing disagreement between Applicant and the Examiner as to whether a claim limitation is taught by the references is therefore a direct result of the lack of specificity in the Office Action.

Furthermore, Applicant respectfully submits that this approach to analyzing his claim language in the Office Action is <u>legally deficient</u>, as it does not meet the requirements laid out in 37 CFR 1.104, "Nature of Examination", which states in paragraph (c)(2),

> In rejecting claims for ... obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, <u>the particular part relied on must be designated as nearly as practicable</u>. The <u>pertinence</u> of each reference, if not apparent, <u>must be clearly explained</u> ... (emphasis added)

Referring first to Applicant's independent Claim 1, when analyzing the "defining ..." claim element recited on lines 7 - 9 of Claim 1, the Office Action cites RDF Syntax, Section 2.2, para. 2 for the "defining, in the class definition of a topmost class of the hierarchical schema, a naming rule property and an instance identity property" claim language on lines 7 - 8. Office Action, para. 4, lines 16 - 18. This analysis in the Office Action merely states "XML rules", with no further discussion of how "XML rules" supposedly disclose a naming rule property and an instance identity property. Applicant notes that the cited text discusses "XML rules" in terms of the need to "exactly match" the names in start tags (i.e., tags enclosed in "<" and ">") with the

names in end tags (i.e., tags enclosed in "</" and ">"). Applicant fails to see <u>any relevance</u> of this discussion to his claim language as recited on lines 7 - 8 of Claim 1.

The Office Action then cites RDF Syntax, Section 1, para. 5 for the "wherein each class at levels of the hierarchical schema beneath the topmost class inherits the naming rule property and the instance identity property" claim language on lines 8 - 9 of Claim 1. Office Action, p. 3, last line - p. 4, lines 1 - 2. The Office Action fails to indicate where this cited text supposedly discusses anything pertaining to a <u>naming rule property</u> and an <u>instance identity property</u>.

The Office Action <u>admits</u> that RDF Syntax does not disclose Applicant's claim language as recited on lines 10 - 30 of Claim 1. Office Action, p. 4, line 3 - p. 5, line 4. Brunet is then cited. Applicant disagrees with the analysis of Brunet, as will now be discussed.

With regard to the "specifying a value ..." claim element recited on line 10 of Claim 1, Applicant notes that the Office Action <u>fails to cite any reference</u> as teaching this claim element. The Office Action therefore fails to make out a *prima facie* case of obviousness with regard to Claim 1. Notably, this claim element recites that the value is specified <u>in</u> the class definition. So, for example, if the naming rule property for Organization class **120** of **Fig. 1** has as its property value "DomainName", as stated at **210** of **Fig. 2**, then the class definition for Organization class includes a property with a <u>name</u> such as "NamingRule", and that property has (for the Organization class) a <u>value</u> of "DomainName". The naming rule <u>property</u>, in this example, may then be described as follows:

NamingRule = DomainName

(See p. 28, lines 5 - 6 *et seq.* of Applicant's specification, where the naming rule in this example is discussed.)

With regard to the "for each class definition, the selected at least one property name is selected to ensure that *each instance identity* generated for the instances defined according to the class definition is <u>unique among all of the instances in the hierarchical schema</u>" claim language recited on lines 13 - 15 of Claim 1 (emphasis added), the office Action cites col. 7, line 30 of Brunet. Office Action, p. 5, lines 11 - 14. Applicant respectfully submits that the cited portion of Brunet must be considered in its entirety, noting that the discussion of uniqueness states "<u>based on a hierarchical order</u>"; see col. 7, line 32, emphasis added. See also:

- col. 7, lines 35 - 39, stating "... the naming attribute being the attribute that, in the class, allows the unique identification ... of an instance <u>relative to its mother</u> [i.e., parent] <u>instance</u>" (emphasis added); and

- col. 7, lines 43 - 46, stating "Each instance ... is uniquely identified <u>by its distinguished name DN</u>, which is the <u>sequence of names RDN on the path between the root and the instance</u> in the instance tree" (emphasis added).

In other words, Brunet states that the uniqueness is obtained by the <u>full distinguished name</u>, which – as is known in the art, and acknowledged by the above-cited portions of Brunet – is formed as the <u>sequence</u> of names for <u>each of the nodes</u> on a particular path. This is in sharp contrast to Applicant's claim language, which recites that the instance identity "is unique among

all of the instances in the [entire] <u>hierarchical schema</u>" (Claim 1, lines 14 - 15, emphasis added).

Note also that this unique instance identity is specified <u>as the value</u> of the instance identity property of each instance, according to Claim 1, lines 21 - 25. (For example, the instance **300** of Organization class, which is illustrated in **Fig. 3A**, would include an additional property with a property <u>name</u> such as "InstanceID", and the <u>value</u> of this instance ID property is shown in **Fig. 3B**. See the text on p. 28, lines 11 - 14 of Applicant's specification, beginning with "Accordingly" and ending with "as was discussed earlier".) This is in contrast to Brunet's distinguished name approach, where a unique identity of a particular node is constructed using assertion AVAs from each of the nodes on a path from the root node to the particular node.

An example illustrating how Applicant's claimed approach differs from that of Brunet can be seen with reference to Applicant's Figs. 1, 2, and 6A - 6B. As shown in Fig. 1, "Server" class 160 is a child class of "Application" class 150. Reference number 240 in Fig. 2 indicates that the naming rule for "Server" class specifies only "URL". That is, the value of a server's URL is sufficient to uniquely identify that server. See Fig. 6A, where sample property values are illustrated for a hypothetical server instance. (See also p. 30, lines 17 - 19 and p. 31, lines 1 - 10, where this is discussed.) Fig. 6B shows the <u>instance identity</u> for that server instance, where this instance identity has been <u>created according to the naming rule</u> at 240 in Fig. 2.[1] (The instance

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[1]See the paragraph on p. 9, line 17 - p. 10, line 5 of Applicant's specification, which states "Instance identities ... are structured strings. For a particular resource, this structured string is created using the naming rules of the class to which the resource belongs. ...". See also the paragraph on p. 10, lines 10 - 16, stating "... When it is desirable to access a resource, its naming rule is looked up [i.e., the naming rule for the class associated with that resource], and the resource's natural properties are used to construct the resource's identity according to that naming rule. ...". Page 25, lines 17 - 19 state "... the instance's identity can then be constructed from the naming rule for that instance's class and the instance's

identity also <u>specifies the class name</u> "Server", as discussed at p. 19, line 18 and p. 20, line 3.)

By contrast, the approach used by Brunet would form an identity for this hypothetical server by including a name/value pair from each <u>parent</u> node of the server in the resource hierarchy. With reference to the sample hierarchy in Applicant's Fig. 1, for example, this approach of Brunet would require the server instance from Fig. 6A to include a name/value pair from the parent Application class 160, as well as name/value pairs for parent classes 110, 130.

See also the definition of "distinguished name"[2] and "relative distinguished name"[3] found on the Internet at OpenDS Wiki, which refer to building a distinguished name by appending relative distinguished name components.

With regard to the claim language recited on lines 19 - 20 of Claim 1, the Office Action cites col. 7, line 30 of Brunet. Office Action, p. 5, lines 18 - 19. Applicant notes that this text of Brunet discusses "uniquely" identifying an instance, but respectfully submits that this discussion is in terms of constructing a unique name using a <u>full distinguished name,</u> as has been discussed above with regard to lines 13 - 15 of Claim 1.

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properties.". In other words, a particular class specifies a naming rule, and this naming rule is used to create an identity for each instance of that class (by using property values of that instance).

[2] See https://www.opends.org/wiki/page/DefinitionDistinguishedName.

[3] See https://www.opends.org/wiki/page/DefinitionRelativeDistinguishedName.

With regard to the claim language recited on lines 26 - 30 of Claim 1, the Office Action cites col. 7, lines 35 - 36 of Brunet. Office Action, p. 6, lines 4 - 10. Applicant respectfully submits that the cited text fails to disclose (at least) "the value of the instance identity specifies a class name and ... a name and value pair ...", in contrast to the recitations on lines 26 - 30 of Claim 1 (emphasis added). See, for example, Applicant's **Fig. 3B**, where the value of an instance ID is shown at **350** as "Organization(DomainName="ibm.com")". From this sample "value of the instance identity" (Claim 1, line 26), the "class name of a particular one ..." Claim 1, line 26) is *Organization*; the "name and value pair" (Claim 1, line 29) is *DomainName="ibm.com"*. Note that **Fig. 3B** does not specify the property name that corresponds to this property value **350**; the property name might be InstanceID, for example, in which case the property may be described as follows:

InstanceID = Organization(DomainName="ibm.com")

Applicant respectfully submits that Brunet has no teaching, or any suggestion, of specifying the class name, *along with* name and value pair, for the "value of the instance identity" as recited by Applicant on lines 26 - 30 of Claim 1.

In view of the above, Applicant respectfully submits that the cited references fail to teach, or suggest, all of the claim elements of Claim 1, in contrast to the assertions in the Office Action. Independent Claim 1 is therefore deemed patentable over RDF Syntax and Brunet, whether taken singly or in combination (assuming, *arguendo*, that such combination could be made and that one of skill in the art would be motivated to attempt it). Dependent Claims 3, 5, 7, and 9 - 13 are deemed patentable at least by virtue of the patentability of Claim 1 from which they depend.

Referring next to independent Claim 17, Applicant respectfully notes that the Office Action analysis of this claims refers to "the remarks and discussions made [with regard to] claim 1". Office Action, p. 8, last 4 lines. Applicant therefore respectfully submits that the same arguments presented above with regard to Claim 1 apply in an analogous manner to distinguish Claim 17 from RDF Syntax and/or Brunet, and Claim 17 is therefore deemed patentable over these references.

In view of the above, the Examiner is respectfully requested to withdraw the §103 rejection of all claims as currently presented.

II.   Conclusion

Applicant respectfully requests reconsideration of the pending rejected claims, withdrawal of all presently outstanding rejections, and allowance of all remaining claims at an early date.

Respectfully submitted,

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